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VISTO CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RESEARCH IN MOTION LIMITED,

Plaintiff,

vs.

VISTO CORPORATION,

Defendant.

Case No. C-07- 3177 (MMC)

**STIPULATION AND [PROPOSED]
ORDER RE VISTO'S FILING OF FIRST
AMENDED ANSWER AND
COUNTERCLAIMS**

VISTO CORPORATION,

Counterclaimant,

vs.

RESEARCH IN MOTION LIMITED, and
RESEARCH IN MOTION
CORPORATION,

Counterdefendants.

STIPULATION RE VISTO'S FILING OF FIRST AMENDED ANSWER AND COUNTERCLAIMS

IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys of record that Defendant/Counterclaimant Visto may file its First-Amended Answer and Counterclaims ("FAC"), a copy of which is attached hereto as Exhibit A. On August 29, 2007, Visto filed a Notice of Motion and Motion to File First Amended Answer and Counterclaims Against Research In Motion Limited and Research In Motion Corp. [Docket No. 13], with the hearing set for October 5, 2007 at 9:00 a.m. After the filing, the parties continued to meet and confer, and agree that Visto may file its FAC. Visto will withdraw its Motion to File First Amended Answer and Counterclaims when the Court approves the filing of Visto's FAC.

IT IS FURTHER STIPULATED that Plaintiff/CounterDefendant RIM Ltd. and CounterDefendant RIM Corp. have fifty (50) days to respond to Visto's FAC from the date this Court approves the filing of Visto's FAC.

Dated: September 14, 2007

KIRKLAND & ELLIS LLP

By: /s/ Philip Chen
Attorneys for Plaintiff and CounterDefendant
Research In Motion Limited and Research In
Motion Corporation

Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, Michelle Gillette hereby attests that concurrence in the filing of this document has been obtained.

Dated: September 14, 2007

MANATT, PHELPS & PHILLIPS, LLP

By: /s/ Michelle Gillette
Attorneys for Defendant and
Counterclaimant
VISTO CORPORATION

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